

## ORDINANCE NO. 85 1205-J

AN ORDINANCE PROVIDING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT A. A 2.79 ACRE TRACT OF LAND OUT OF THE J. NOWLAND SURVEY NO. 26 AND THE JAMES COLEMAN SURVEY NO. 25, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "SF-1" SINGLE FAMILY RESIDENCE (LARGE LOT); AND,

TRACT B. A 26.05 ACRE TRACT OF LAND OUT OF THE J. NOWLAND SURVEY NO. 26 AND THE JAMES COLEMAN SURVEY NO. 25, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "SF-6" TOWNHOUSE AND CONDOMINIUM RESIDENCE; AND,

TRACT C. A 36.15 ACRE TRACT OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "SF-6" TOWNHOUSE AND CONDOMINIUM RESIDENCE; AND,

TRACT D. A 18.88 ACRE TRACT OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "SF-6" TOWNHOUSE AND CONDOMINIUM RESIDENCE; AND,

TRACT E. A 20.97 ACRE TRACT OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "SF-6" TOWNHOUSE AND CONDOMINIUM RESIDENCE; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 5915 LOST HORIZON DRIVE; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. CHAPTER 13-2A of the Austin City Code of 1981 is hereby amended to change the base zoning district on the property described in File C14-85-077, to-wit:

TRACT A. From Interim "RR" Rural Residence District to "SF-1" Single Family Residence (Large Lot).

A 2.79 acre tract of land out of the J. Nowland Survey No. 26 and the James Coleman Survey No. 25, Travis County, Texas, being a portion of a 956.78 acre tract of land called Tract One in a Deed to Great Hills, Ltd., as recorded in Volume 8238, Page 174 of the Deed Records of Travis County, Texas; the said 2.79 acre tract of land, as shown on Espey, Huston & Associates Survey Plat No. 629, being more particularly described by metes and bounds as follows:

BEGINNING, at an iron rod found at the most southwesterly corner of Great Hills Section IX, a subdivision recorded in Plat Book 78, Pages 141-142 of the Travis County Plat Records, being on the west line of Lost Horizon Drive (R.O.W. varies) and on an interior west line

of the said 956.78 acre Tract One, also being on the east line of the herein described 2.79 acre tract;

THENCE, leaving the said Great Hills Section IX along a west line of Great Hills Street Dedication "C", a subdivision of record in Plat Book 77, Pages 268-270 of the Travis County Plat Records, and continuing along the said west line of Lost Horizon Drive and the said 956.78 acre Tract One, S 17° 36' 37" E, a distance of 112.02 feet to a point for the southeast corner hereof;

THENCE, leaving the said west line of Great Hills Street Dedication "C" being the said west line of Lost Horizon Drive and the said 956.78 acre Tract One, over and across the said 956.78 acre Tract One, the following two (2) courses and distances:

1. S 68° 19' 44" W, a distance of 220.00 feet to a point for the southwest corner hereof;
2. N 19° 56' 23" W, a distance of 550.00 feet to a point in the southwest line of Great Hills XXI, a subdivision of record in Book 84, Pages 85B-85-C, Travis County Plat Records for the northwest corner hereof;

THENCE, along the said southwest line of Great Hills XXI, being the north line of herein described tract, N 54° 05' 34" E, a distance of 195.00 feet to an iron rod found on the west lie of the said Lost Horizon Drive, being the southeast corner of the said Great Hills XXI and the northwest corner of the herein described tract;

THENCE, along the west line of the said Lost Horizon Drive, being the east line of the herein described tract, the following three (3) courses and distances:

1. S 23° 12' 40" E, a distance of 268.76 feet to an iron rod found at an angle point,
2. N 66° 46' 17" E, a distance of 19.89 feet to an iron rod found at a non-tangent point of curvature, and
3. a distance of 217.98 feet along the arc of a curve to the right having the following elements: Delta = 05° 38' 19", Radius = 2214.97 feet and a chord which bears, S 20° 24' 33" E, a distance of 217.89 feet to the POINT OF BEGINNING containing 2.79 acres of land, ore or less; and,

TRACT B. From Interim "RR" Rural Residence District to "SF-6" Townhouse and Condominium Residence.

S 26.05 acre tract of land out of the J. Nowland Survey No. 26 and the James Coleman Survey No. 25, Travis County, Texas, being a portion of a 956.78 acre tract of land called Tract One in a Deed to Great Hills, Ltd., as recorded in Volume 8238, Page 174 of the Deed Records of Travis County, Texas; the said 26.05 acre tract of land, as shown on Espey,

Huston & Associates Survey Plat No. 629, being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found for the most southwesterly corner of Great Hills Section IX, a subdivision recorded in Plat Book 78, Pages 141-142 of the Travis County, Texas Plat Records, said point being on the west line of Lost Horizon Drive (60 foot wide R.O.W.), and east line of said 26.05 acre tract;

THENCE, with the west line of Lost Horizon Drive (60 foot wide R.O.W.) as shown on "Great Hills Street Dedication "C", a subdivision of record in Book 77, Pages 268-270 of the Travis County, Texas Plat Records, S 17° 36' 37" E, a distance of 112.02 feet to the POINT OF BEGINNING;

THENCE, with the west line of said Lost Horizon Drive and the east line of said 26.05 acre tract, the following two (2) courses and distances:

1. S 17° 36' 37" E, a distance of 212.92 feet to an iron rod found for a point of curvature, and
2. with the arc of a curve to the left, a distance of 291.09 feet, through a central angle of 46° 08' 12", with a radius of 361.50 feet, along a chord which bears S 340° 39' 09" E, a distance of 283.29 feet to an iron rod found for a point of reverse curvature on the west line of Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B, Travis County, Texas, Plat Records;

THENCE, leaving said west line of Lost Horizon Drive and continuing with the east line of said 26.05 acre tract and the west line of said Great Hills XX, the following five (5) courses and distances:

1. with the arc of a curve to the right, a distance of 20.92 feet, through a central angle of 79° 55' 00", with a radius of 15.00 feet, along a chord which bears S 23° 45' 38" E, a distance of 19.27 feet to an iron rod found for a point of tangency,
2. S 16° 11' 51" W, a distance of 106.59 feet to an iron rod found for a point of curvature,
3. with the arc of a curve to the left, a distance of 250.94 feet, through a central angle of 36° 28' 54", with a radius of 394.11 feet, along a chord which bears S 02° 02' 37" E, a distance of 246.72 feet to an iron rod found for a point of tangency,
4. S 20° 17' 04" E, a distance of 107.96 feet to an iron rod found for a point of curvature, and
5. with the arc of a curve to the right, a distance of 139.08 feet, through a central angle of 25° 53' 03", with a radius of 307.85 feet, along a chord which bears S 07° 20' 33" E, a distance of 137.90 feet to an iron rod found for the most easterly south corner of said 26.05 acre

tract, said iron rod being on the north line of said Great Hills XX;

THENCE, with the southerly line of said 26.05 acre tract and north line of said Great Hills XX, the following two (2) courses and distances:

1. S 87° 10' 02" W, a distance of 258.18 feet to an iron rod found for an angle point, and
2. S 42° 55' 54" W, a distance of 113.66 feet to an iron rod found for an angle point and the most westerly north corner of said Great Hills XX, and an angle point on the east line of a 150.20 acre tract of land conveyed to Great Hills Phase III Joint Venture, by deed recorded in Volume 9031, PAGE 145, Travis County, Texas Deed Records;

THENCE, continuing with the southerly line of said 26.05 acre tract and the northerly line of said 150.20 acre tract, the following six (6) courses and distances:

1. N 07° 47' 56" E, a distance of 292.60 feet to an iron rod found for an angle point;
2. N 43° 50' 12" W, a distance of 91.30 feet to an iron rod found for an angle point,
3. N 89° 25' 43" W, a distance of 132.46 feet to an iron rod found for an angle point,
4. S 17° 20' 37" W, a distance of 357.48 feet to an iron rod found for an angle point,
5. S 38° 07' 48" W, a distance of 509.77 feet to an iron rod found for an angle point,
6. N 89° 13' 55" W, a distance of 270.00 feet to an iron rod found for the most southwesterly corner of said 26.05 acre tract;

THENCE, continuing with the northerly line of said 150.20 acre tract and the west line of said 26.05 acre tract, the following three (3) courses and distances:

1. N 41° 44' 42" E, a distance of 139.45 feet to an iron rod found for an angle point,
2. N 16° 14' 12" E, a distance of 649.30 feet to an iron rod found for an angle point,
3. N 12° 22' 31" W, a distance of 682.80 feet to an iron rod found for the most northerly corner of said 150.20 acre tract, said iron rod also being on the southerly line of Great Hills XXI, a subdivision of record in Book 84, Pages 85B-85-C of the Travis County, Texas, Plat Records;

THENCE, leaving said northerly line continuing with the west line of said 26.05 acre tract and the southerly line of the said Great Hills XXI, N 05° 00' 00" W, a distance of 257.023 feet to an iron rod found for the most northwesterly corner of said 26.05 acre tract;

THENCE, continuing with the southerly line of said Great Hills XXI and the north line of said 26.05 acre tract, N 54° 05' 34" E, a distance of 486.49 feet to a point for the most northerly northeast corner of said 26.05 acre tract;

THENCE, leaving the southerly line of said Great Hills XXI, and crossing said 956.78 acre Tract One, the following two (2) courses and distances:

1. S 19° 56' 23" E, a distance of 550.00 feet to a point, and
2. N 68° 19' 44" E, a distance of 220.00 feet to the POINT OF BEGINNING and containing 26.05 acres of land, more or less; and

TRACT C. From Interim "RR" Rural Residence District to "SF-6" Townhouse and Condominium Residence.

A 36.15 acre tract of land out of the J. Nowland Survey No. 26 and the James Coleman Survey No. 25, Travis County, Texas; the said 36.15 acre tract being all of Lot 97, Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B, Travis County Plat Records and a portion of a 956.78 acre tract of land called Tract One conveyed to Great Hills, Ltd. by Deed recorded in Volume 8238, Page 174 of the Deed Records of Travis County, Texas; the said 36.15 acre tract of land, as shown on Espey, Huston & Associates Survey Plat No. 629, being more particularly described by metes and bounds as follows:

BEGINNING, at an iron rod found for the northwest corner of Lot 1, Great Hills Street Dedication "C", a subdivision of record in Book 77, Pages 268-270, Travis County Plat Records;

THENCE, with the west line of Lot 1, and over and across the said 956.78 acre tract, S 03° 25' 47" E, a distance of 430.00 feet to an iron rod set for an angle point, same being an angle point in the northerly line of the proposed Cherry Hill Park PUD;

THENCE, leaving the west line of said Lot 1, with the northerly line of the proposed Cherry Hill Park PUD and continuing over and across the said 956.78 acre tract, the following three (3) courses and distances:

1. N 71° 29' 40" W, a distance of 469.04 feet to an iron rod set for an angle point,
2. N 88° 05' 45" W, a distance of 215.93 feet to an iron rod set for an angle point, and
3. S 65° 08' 31" W, a distance of 184.58 feet to an iron rod set for an angle point and lying in the easterly right-of-way line of the proposed Simmons Road Extension (60.00 feet wide);

THENCE, continuing with the northerly line of the said Cherry Hill Park PUD and with the easterly line of the said proposed Simmons Road Extension, N 22° 27' 51" W, a distance of 116.57 feet to an iron rod found for point of curvature of a curve to the left, same being an angle point of the easterly line of Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B;

THENCE, leaving the northerly line of the said Cherry Hill Park PUD and the easterly line of the said proposed Simmons Road Extension, with the easterly line of the said Great Hills XX, same being the easterly line of Simmons Road (60.00 foot wide), a distance of 364.43 feet along said arc to the left with a central angle of 87° 00' 00", a radius of 240.00 feet and whose chord bears N 66° 16' 20" W, a distance of 330.41 feet to an iron rod found for the point of reverse curvature of a curve to the right and lying in the easterly right-of-way line of Kazeleh Drive (60.00 feet wide);

THENCE, leaving the easterly line of said Simmons Road, continuing with the easterly line of the said Great Hills XX, and the easterly line of the said Kazaleh Drive, the following nine (9) courses and distances:

1. a distance of 23.56 feet along said arc with a central angle of 90° 00' 00", a radius of 15.00 feet and whose chord bears N 64° 46' 20" W, a distance of 21.21 feet to an iron rod found for the point of tangency of said curve,
2. N 19° 46' 20" W, a distance of 209.37 feet to a concrete monument found for a point of curvature of a curve to the right,
3. a distance of 141.16 feet along said arc with a central angle of 29° 17' 57" W, a radius of 276.04 feet, and whose chord bears N 05° 07' 21" W, a distance of 139.62 feet to an iron rod found for the point of tangency of said curve,
4. N 09° 31' 38" E, a distance of 325.55 feet to an iron rod found for the point of curvature of a curve to the left,
5. a distance of 191.54 feet along said arc with a central angle of 29° 50' 01", a radius of 367.85 feet and whose chord bears N 05° 23' 23" W, a distance of 189.38 feet to an iron rod found for the point of tangency of said curve
6. N 20° 18' 23" W, a distance of 107.96 feet to an iron rod found for the point of curvature of a curve to the right,
7. a distance of 212.73 feet along said arc with a central angle of 36° 28' 55", a radius of 334.11 feet and whose chord bars N 02° 03' 56" W, a distance of 209.16 feet to an iron rod found for the point of tangency of said curve
8. N 16° 10' 32" E, a distance of 101.54 feet to an iron rod found for the point of curvature of a curve to the right, and
9. a distance of 22.60 feet along said arc with a central angle of 86° 19' 55", a radius of 15.00 feet and whose chord bears N 59° 209' 30" E, a distance of 20.52 feet to

an iron rod found for the point of reverse curvature to the left, lying in the southwesterly right-of-way line of Lost Horizon Drive (R.O.W. varies) and also being in the southwesterly line of said Great Hills Street Dedication "C";

THENCE, leaving the easterly line of the said Kazeleh Drive and the easterly line of the said Great Hills XX, with the southwesterly lines of said Lost Horizon Drive and said Great Hills Street Dedication "C", the following six (6) courses and distances:

1. a distance of 107.95 feet along an arc to the left with a central angle of  $17^{\circ} 06' 35''$  and a radius of 361.50 feet and whose chord bears  $S 86^{\circ} 00' 52'' E$ , a distance of 107.55 feet to an iron rod found for the point of tangency,
2.  $N 85^{\circ} 25' 00'' E$ , a distance of 50.00 feet to an iron rod found for the point of curvature of a curve to the right,
3. a distance of 190.34 feet along said arc with a central angle of  $37^{\circ} 10' 00''$  and a radius of 293.43 feet and whose chord bears  $S 76^{\circ} 00' 01'' E$ , a distance of 187.02 feet to an iron rod found the point of tangency of said curve,
4.  $S 57^{\circ} 25' 01'' E$ , a distance of 263.53 feet to an iron rod found for an angle point,
5.  $S 32^{\circ} 34' 59'' W$ , a distance of 18.00 feet to an iron rod found for the point of curvature of a curve to the left, and
6. a distance of 100.00 feet along said arc with a central angle of  $15^{\circ} 27' 35''$  and a radius of 370.63 feet and whose chord bears  $S 65^{\circ} 08' 48'' E$ , a distance of 99.70 feet to an iron rod found for the northwest corner of Lot 2, said Great Hills Street Dedication "C";

THENCE, leaving the said southwesterly line of Lost Horizon Drive with the west and south lines of the said Lot 2, Great Hills Street Dedication "C", the following three (3) courses and distances:

1.  $S 02^{\circ} 01' 38'' W$ , a distance of 110.00 feet an iron rod found for an angle point,
2.  $S 89^{\circ} 21' 48'' E$ , a distance of 377.93 feet an iron rod found for an angle point,
3.  $S 47^{\circ} 45' 47'' E$ , a distance of 485.76 feet to an iron rod found in the westerly line of Rain Creek Parkway;

THENCE, leaving the said south line of Lot 2, Great Hills Street Dedication "C" with the said westerly line of Rain Creek Parkway, a distance of 440.15 feet along an arc to the left with a central angle of  $72^{\circ} 10' 59''$  and a radius of 349.37 feet and whose chord bears  $S 06^{\circ} 08' 30'' E$ , a distance of 411.62 feet to an iron rod found at an angle point, same being an angle point in the north line of Lot 1, said Great Hills Street Dedication "C";

THENCE, leaving the westerly line of the said Rain Creek Parkway, with the north line of Lot 1, said Great Hills Street Dedication "C", S 86° 34' 13" W, a distance of 200.00 feet to the POINT OF BEGINNING, and containing within these metes and bounds 36.15 acres of land, more or less; and,

TRACT D. From Interim "RR" Rural Residence District to "SF-6" Townhouse and Condominium Residence.

An 18.88 acre tract of land out of the James Coleman Survey No. 25, situated in Travis County, being a portion of a 956.78 acre tract of land called Tract One, described in a Deed to Great Hills, LTD., as recorded in Volume 8238, Page 174 of the Travis County Deed Records: said 18.89 acre tract of land, as shown on Espey, Huston & Associates Survey Plat No. 629, being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found on the east right-of-way line of Kazaleh Drive (60.00 feet wide), same being the southeast corner of Great Hills XX, a subdivision of record in Book 84, Page 136A-136-B, Travis County Plat Records, also being an angle point on the north line of Great Hills XV, a subdivision of record in Book 74, Page 152D and 153A-153B, Travis County Plat Records, and further being the northwest corner of Lot 31, said Great Hills XV;

THENCE with the east line of said Kazaleh Drive, same being the easterly line of said Great Hills XX, the following three (3) courses and distances:

1. with a curve to the left, an arc distance of 258.81 feet, through a central angle of 24° 53' 18", with a radius of 595.80 feet and chord which bears, N 09° 35' 40" E, a distance of 256.78 feet to an iron rod found for a point of tangency,
2. N 02° 50' 59" W, a distance of 352.40 feet to an iron rod found for a point of curvature, and
3. with a curve to the left, an arc distance of 92.51 feet, through a central angle of 16° 55' 21", with a radius of 313.20 feet and a chord which bears, N 11° 18' 39" W, a distance of 92.17 feet to an iron rod found for a point of reverse curvature;

THENCE, leaving the east line of said Kazaleh Drive, continuing with the easterly line of said Great Hills XX, being the southerly right-of-way line of Simmons Road (60.00 feet wide), the following two (2) courses and distances:

1. with a curve to the right, an arc distance of 23.56 feet, through a central angle of 90° 00' 00", with a radius of



15.00 feet and a chord which bears, N 25° 13' 40" E, a distance of 21.21 feet to an iron rod found for a point of compound curvature, and

2. with a curve to the right, an arc distance of 273.32 feet, through a central angle of 87° 00' 00", with a radius of 180.00 feet and a chord which bears, S 66° 16' 20" E, a distance of 247.81 feet to an iron rod found for a point of tangency and also being the northwest corner of the Cherry Hill Park PUD, a subdivision of record in Book 85, Pages 131B-131C, Travis County Plat Records;

THENCE leaving the easterly line of said Great Hills XX, continuing with the southerly line of said Simmons Road and the westerly line of said Cherry Hill Park PUD, the following nine (9) courses and distances:

1. S 22° 39' 40" E, a distance of 374.49 feet to an iron rod found for a point of curvature.
2. with a curve to the right, an arc distance of 135.35 feet, through a central angle of 28° 43' 33", with a radius of 270.00 feet and a chord which bears, S 08° 23' 14" E, a distance of 133.95 feet to an iron rod found for a point of tangency,
3. S 05° 58' 32" W, a distance of 132.63 feet to an iron rod found for a point of curvature.
4. with a curve to the left, an arc distance of 371.20 feet, through a central angle of 64° 27' 00", with a radius of 330.00 feet and a chord which bears, S 26° 14' 58" E, a distance of 351.94 feet to an iron rod found for a point of tangency.
5. S 58° 28' 28" E, a distance of 274.05 feet to an iron rod found for a point of curvature.
6. with a curve to the right, an arc distance of 276.35 feet, through a central angle of 58° 38' 35", with a radius of 270.00 feet and a chord which bears, S 29° 09' 10" E, a distance of 264.44 feet to an iron rod found for a point of tangency,
7. S 00° 10' 07" W, a distance of 206.95 feet to an iron rod found for a point of curvature,
8. with a curve to the right, an arc distance of 22.54 feet, through a central angle of 64° 38' 00", with a radius of 19.98 feet and chord which bears, S 32° 29' 07" W, a distance of 21.36 feet to an iron rod found for a point of reverse curvature, and

9. with a curve to the left, an arc distance of 130.65 feet, through a central angle of  $149^{\circ} 42' 31''$ , with a radius of 50.00 feet and a chord which bears,  $S 10^{\circ} 03' 08'' E$ , a distance of 96.53 feet to an iron rod found for point on curve, lying on a southerly line of said 956.78 acre tract and on a northerly line of The Meadows of Great Hills, a subdivision of record in Book 85, Pages 197B-197C;

THENCE leaving the southerly line of said Simmon Road and the westerly line of said Cherry Hill Park PUD, with the southerly line of said 956.78 acre tract and a northerly line of said The Meadows of Great Hills, the following four (4) courses and distances:

1.  $N 84^{\circ} 54' 17'' W$ , a distance of 5.72 feet to an iron rod found for an angle point,
2.  $N 76^{\circ} 49' 00'' W$ , a distance of 133.15 feet to a concrete monument found for an angle point,
3.  $S 00^{\circ} 54' 00'' E$ , a distance of 146.01 feet to an iron rod found for an angle point, and
4.  $S 60^{\circ} 34' 01'' W$ , a distance of 78.49 feet to an iron rod found for an angle point, on the northerly line of Great Hills XIV-A, a subdivision of record in Book 85, Pages 108C-108D and further being an angle point on the northerly line of Lot 16, said Great Hills XIV-A;

THENCE leaving the southerly line of said 956.78 acre tract and the northerly line of said The Meadows of Great Hills, with the northerly line of said Great Hills XIV-A, the following three (3) courses and distances:

1.  $N 66^{\circ} 54' 48'' W$ , a distance of 63.98 feet to an iron rod found for an angle point,
2.  $N 24^{\circ} 35' 24'' W$ , a distance of 158.78 feet to concrete monument found for an angle point, and
3.  $S 78^{\circ} 28' 06'' W$ , a distance of 384.54 feet to an iron rod found for an angle point, same being an angle point in Lot 13, of said Great Hills XIV-A, also being an angle point on the easterly line of said Great Hills XV, and further being the northeast corner of Lot 47 and the southeast corner of Lot 46, said Great Hills XV;

THENCE leaving the northerly line of said Great Hills XIV-A, with the easterly and northerly lines of said Great Hills XV, the following eight (8) courses and distances:

1.  $N 38^{\circ} 55' 07'' W$ , a distance of 232.22 feet to an iron rod found for an angle point,

2. S 34° 53' 31" E, a distance of 135.75 feet to a concrete monument found for an angle point,
3. N 15° 10' 15" E, a distance of 319.65 feet to an iron rod found for an angle point,
4. N 42° 33' 30" W, a distance of 320.82 feet to an iron rod found for an angle point,
5. N 46° 27' 57" E, a distance of 77.37 feet to an iron rod found for an angle point,
6. N 86° 19' 37" E, a distance of 143.67 feet to an iron rod found for an angle point,
7. N 22° 55' 29" W, a distance of 173.93 feet to an iron rod found for an angle point,
8. N 87° 24' 26" W, a distance of 143.15 feet to the POINT OF BEGINNING and containing 18.88 acres of land, more or less.

TRACT E. From Interim "RR" Rural Residence District to "SF-6" Townhouse and Condominium Residence.

A 20.97 acre tract of land out of the James Coleman Survey No. 25, Travis County, Texas, being a portion of a 956.78 acre tract of land called Tract One, conveyed to Great Hills, Ltd. by deed recorded in Volume 8238, Page 174, Travis County Deed Records, said 20.97 acres, as shown on Espey, Huston & Associates Survey Plat No. 620, being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found for the southwest corner of Lot 80, Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B, Travis County Plat Records, same being an angle point in the west line of Lot 28, Great Hills XV, a subdivision of record in Book 84, Pages 152D, 153A-153B, Travis County Plat Records;

THENCE, S 07° 19' 53" W, with the west line of the said Great Hills XV, a distance of 222.31 feet to the POINT OF BEGINNING, same being an iron rod set for the northeast corner hereof;

THENCE continuing with the west line of said Great Hills XV, the following two (2) courses and distances:

1. S 07° 19' 53" W, a distance of 432.88 feet to a concrete monument found for an angle point, and
2. S 05° 44' 31" W, a distance of 402.40 feet to an iron rod found for an angle point, same being an angle point in

the west line of Lot 17, said Great Hills XV and also being the northeast corner of a 6.64 acre tract of land conveyed to Charles Callery by deed recorded in Volume 9029, Page 354, Travis County Deed Records;

THENCE with the north and west lines of the said 6.64 acre tract, the following six (6) courses and distances:

1. S 85° 56' 07" W, a distance of 131.29 feet to an iron rod found for an angle point,
2. N 61° 47' 56" W, a distance of 79.41 feet to an iron rod found for an angle point,
3. N 82° 04' 56" W, a distance of 107.04 feet to an iron rod found for an angle point,
4. S 83° 17' 51" W, a distance of 139.00 feet to an iron rod for an angle point,
5. S 16° 59' 01" W, a distance of 508.18 feet to an iron rod for an angle point
6. S 02° 40' 40" W, a distance of 142.41 feet to an iron rod found, being the southwest corner of the said 6.64 acre tract;

THENCE leaving the north and west lines of the said 6.64 acre tract and over and across the said 956.78 acre tract, the following eight (8) courses and distances:

1. S 02° 40' 40" W, a distance of 201.02 feet to an iron rod set for an angle point,
2. N 19° 58' 09" W, a distance of 1090.79 feet to an iron rod set for an angle point,
3. N 24° 54' 32" W, a distance of 127.55 feet to an iron rod set for an angle point,
4. N 58° 00' 45" W, a distance of 165.92 feet to an iron rod set for the point of curvature of a curve to the right,
5. a distance of 324.19 feet along an arc to the right with a central angle of 55° 25' 31", a radius of 335.13 feet and whose chord bears N 59° 42' 00" E, a distance of 3311.70.70 feet to an iron rod set for the point of tangency of said curve,
6. N 87° 24' 46" E, a distance of 200.77 feet to an iron rod set for the point of curvature of a curve to the left,

7. a distance of 416.87 feet along said arc to the left with a central angle of 77° 59' 09", a radius of 306.93 feet and whose chord bears N 48° 30' 12",
8. S 87° 56' 04" E, a distance of 513.83 feet to the POINT OF BEGINNING and containing within these metes and bounds 20.97 acres of land, more or less,

locally known as 5915 Lost Horizon Drive in the City of Austin, Travis County, Texas.

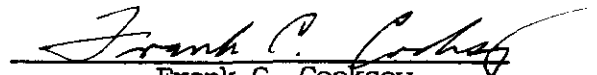
PART 2. It is hereby ordered that the Zoning Map accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. WHEREAS, an emergency is apparent for the immediate preservation of order, health, safety and general welfare of the public, which emergency requires the suspension of the rule providing for the reading of an ordinance on three separate days, and requires that this ordinance become effective immediately upon its passage; therefore, the rule requiring the reading on three separate days is hereby suspended and this ordinance shall become effective immediately upon its passage as provided by the Charter of the City of Austin.


PASSED AND APPROVED

§  
§  
§


December 5, 1985 §

  
Frank C. Cooksey  
Mayor

APPROVED:

  
Paul C. Isham  
City Attorney

ATTEST:

  
James E. Aldridge  
City Clerk

AFM:saf

RESTRICTIVE COVENANT

THE STATE OF TEXAS   §

COUNTY OF TRAVIS     §

WHEREAS, the Great Hills Ltd., a Texas Limited Partnership of Travis County, Texas, with its principal place of business in Travis County, ("Owner"), is the owner of the property described on Exhibit "A" attached hereto ("Property"); and

WHEREAS, the City of Austin and the Owner have agreed that the above described Property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, the Owner for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, receipt of which is hereby acknowledged, does hereby agree with respect to the Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on them, their successors and assigns, as follows, to-wit:

1. Residential units may be developed on the Property at a maximum density not to exceed an average density of 6 units per acre.

2. All residential units located on the property shall be detached structures and shall be limited to single family use.

3. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

4. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

5. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

6. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above described property at the time of such modification, amendment or termination.

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

GREAT HILLS LIMITED

\_\_\_\_\_  
John S. Lloyd, General Partner

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John S. Lloyd, as general partner of Great Hills Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited partnership for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_  
Notary Public in and for  
the State of Texas

\_\_\_\_\_  
(Name - Typed or Printed)

My Commission Expires: \_\_\_\_\_

A:6-1085.15

Great Hills  
Part of PUD-1  
26.05 Acre Tract  
Travis County, Texas

PUD-1  
SF-6 DETACHED UNITS  
6 UNITS (AC) FN 3038 (RB)  
October 15, 1985  
EH&A Job No. 4047-53

A DESCRIPTION OF A 26.05 ACRE TRACT OF LAND OUT OF THE J. NOWLAND SURVEY NO. 26 AND THE JAMES COLEMAN SURVEY NO. 25, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 956.78 ACRE TRACT OF LAND CALLED TRACT ONE IN A DEED TO GREAT HILLS, LTD., AS RECORDED IN VOLUME 8238, PAGE 174 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 26.05 ACRE TRACT OF LAND, AS SHOWN ON ESPEY, HUSTON & ASSOCIATES SURVEY PLAT NO. 629, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found for the most southwesterly corner of Great Hills Section IX, a subdivision recorded in Plat Book 78, Pages 141-142 of the Travis County, Texas, Plat Records, said point being on the west line of Lost Horizon Drive (60 foot wide R.O.W.), and east line of said 26.05 acre tract;

THENCE with the west line of Lost Horizon Drive (60 foot wide R.O.W.) as shown on "Great Hills Street Dedication 'C'", a subdivision of record in Book 77, Pages 268-270 of the Travis County, Texas, Plat Records, S 17° 36' 37" E, a distance of 112.02 feet to the POINT OF BEGINNING;

THENCE with the west line of said Lost Horizon Drive and the east line of said 26.05 acre tract, the following two (2) courses and distances:

1. S 17° 36' 37" E, a distance of 212.92 feet to an iron rod found for a point of curvature, and
2. with the arc of a curve to the left, a distance of 291.09 feet, through a central angle of 46° 08' 12", with a radius of 361.50 feet, along a chord which bears S 40° 39' 09" E, a distance of 283.29 feet to an iron rod found for a point of reverse curvature on the west line of Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B, Travis County, Texas, Plat Records;

THENCE leaving said west line of Lost Horizon Drive, and continuing with the east line of said 26.05 acre tract and the west line of said Great Hills XX, the following five (5) courses and distances:

1. with the arc of a curve to the right, a distance of 20.92 feet, through a central angle of 79° 55' 00", with a radius of 15.00 feet, along a chord which bears S 23° 45' 38" E, a distance of 19.27 feet to an iron rod found for a point of tangency,
2. S 16° 11' 51" W, a distance of 106.59 feet to an iron rod found for a point of curvature,
3. with the arc of a curve to the left, a distance of 250.94 feet, through a central angle of 36° 28' 54", with a radius of 394.11 feet, along a chord which bears S 02° 02' 37" E, a distance of 246.72 feet to an iron rod found for a point of tangency,
4. S 20° 17' 04" E, a distance of 107.96 feet to an iron rod found for a point of curvature, and



5. with the arc of a curve to the right, a distance of 139.08 feet, through a central angle of  $25^{\circ} 53' 03''$ , with a radius of 307.85 feet, along a chord which bears  $S 07^{\circ} 20' 33'' E$ , a distance of 137.90 feet to an iron rod found for the most easterly south corner of said 26.05 acre tract, said iron rod being on the north line of said Great Hills XX;

THENCE with the southerly line of said 26.05 acre tract and north line of said Great Hills XX, the following two (2) courses and distances:

1.  $S 87^{\circ} 10' 02'' W$ , a distance of 258.18 feet to an iron found for an angle point, and
2.  $S 42^{\circ} 55' 54'' W$ , a distance of 113.66 feet to an iron rod found for an angle point and the most westerly north corner of said Great Hills XX, and an angle point on the east line of a 150.20 acre tract of land conveyed to Great Hills Phase III Joint Venture, by deed recorded in Volume 9031, Page 145, Travis County, Texas, Deed Records;

THENCE continuing with the southerly line of said 26.05 acre tract and the northerly line of said 150.20 acre tract, the following six (6) courses and distances:

1.  $N 07^{\circ} 47' 56'' E$ , a distance of 292.60 feet to an iron rod found for an angle point,
2.  $N 43^{\circ} 50' 12'' W$ , a distance of 91.30 feet to an iron rod found for an angle point,
3.  $N 89^{\circ} 25' 43'' W$ , a distance of 132.46 feet to an iron rod found for an angle point,
4.  $S 17^{\circ} 20' 37'' W$ , a distance of 357.48 feet to an iron rod found for an angle point,
5.  $S 38^{\circ} 07' 48'' W$ , a distance of 509.77 feet to an iron rod found for an angle point, and
6.  $N 89^{\circ} 13' 55'' W$ , a distance of 270.00 feet to an iron rod found for the most southwesterly corner of said 26.05 acre tract;

THENCE, continuing with the northerly line of said 150.20 acre tract and the west line of said 26.05 acre tract, the following three (3) courses and distances:

1.  $N 41^{\circ} 44' 42'' E$ , a distance of 139.45 feet to an iron rod found for an angle point,
2.  $N 16^{\circ} 14' 12'' E$ , a distance of 649.30 feet to an iron rod found for an angle point, and
3.  $N 12^{\circ} 27' 31'' W$ , a distance of 682.80 feet to an iron rod found for the most northerly corner of said 150.20 acre tract, said iron rod also being on the southerly line of Great Hills XXI, a subdivision of record in Book 84, Pages 85B-85C of the Travis County, Texas, Plat Records;

THENCE leaving said northerly line continuing with the west line of said 26.05 acre tract and with the southerly line of the said Great Hills XXI,  $N 05^{\circ} 00' 00'' W$ , a distance of 257.03 feet to an iron rod found for the most northwesterly corner of said 26.05 acre tract;

Great Hills  
Part of PUD-1  
26.05 Acre Tract  
Travis County, Texas

FN 3038 (RB)  
October 15, 1985  
EH&A Job No. 4047-53

THENCE continuing with the southerly line of said Great Hills XXI and the north line of said 26.05 acre tract, N 54° 05' 34" E, a distance of 486.49 feet to a point for the most northerly northeast corner of said 26.05 acre tract;

THENCE leaving the southerly line of said Great Hills XXI, and crossing said 956.78 acre Tract One, the following two (2) courses and distances:

1. S 19° 56' 23" E, a distance of 550.00 feet to a point, and
2. N 68° 19' 44" E, a distance of 220.00 feet to the POINT OF BEGINNING and containing 26.05 acres of land, more or less.


THE STATE OF TEXAS    |  
                          |  
COUNTY OF TRAVIS    |

KNOW ALL MEN BY THESE PRESENTS:

That I, Lawrence A. Hunt, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the  
15<sup>TH</sup> day of OCTOBER, 1985, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.  
Engineering & Environmental Consultants  
P.O. Box 519  
Austin, Texas 78767

  
Lawrence A. Hunt

Registered Public Surveyor  
No. 4328 - State of Texas



RESTRICTIVE COVENANT

THE STATE OF TEXAS     §

COUNTY OF TRAVIS       §

WHEREAS, the Great Hills Ltd., a Texas Limited Partnership of Travis County, Texas, with its principal place of business in Travis County, ("Owner"), is the owner of the property described on Exhibit "A" attached hereto ("Property"):

WHEREAS, the City of Austin and the Owner have agreed that the above described Property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, the Owner for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, receipt of which is hereby acknowledged, does hereby agree with respect to the Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on them, their successors and assigns, as follows, to-wit:

1. The number of residential units located on the Property shall not exceed an average of 6 units per acre.

2. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

3. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

4. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

5. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above described property at the time of such modification, amendment or termination.

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

GREAT HILLS LIMITED

\_\_\_\_\_  
John S. Lloyd, General Partner

THE STATE OF TEXAS     §

COUNTY OF TRAVIS       §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John S. Lloyd, as general partner of Great Hills Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited partnership for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_  
Notary Public in and for  
the State of Texas

\_\_\_\_\_  
(Name - Typed or Printed)

My Commission Expires: \_\_\_\_\_

A:6-1085.14

Great Hills  
18.88 Acre Tract

PUD 5 - PHASE ONE  
6 UNITS / AC  
SF-6  
FN 2439 (JAA)  
October 14, 1985  
EH&A Job No. 4047-53

A DESCRIPTION OF AN 18.88 ACRE TRACT OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 956.78 ACRE TRACT OF LAND CALLED TRACT ONE, DESCRIBED IN A DEED TO GREAT HILLS, LTD., AS RECORDED IN VOLUME 8238, PAGE 174 OF THE TRAVIS COUNTY DEED RECORDS; SAID 18.89 ACRE TRACT OF LAND, AS SHOWN ON ESPEY, HUSTON & ASSOCIATES SURVEY PLAT NO. 629, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found on the east right-of-way line of Kazaleh Drive (60.00 feet wide), same being the southeast corner of Great Hills XX, a subdivision of record in Book 84, Page 136A-136B, Travis County Plat Records, also being an angle point on the north line of Great Hills XV, a subdivision of record in Book 74, Pages 152D and 153A-153B, Travis County Plat Records, and further being the northwest corner of Lot 31, said Great Hills XV;

THENCE with the east line of said Kazaleh Drive, same being the easterly line of said Great Hills XX, the following three (3) courses and distances:

1. with a curve to the left, an arc distance of 258.81 feet, through a central angle of  $24^{\circ} 53' 18''$ , with a radius of 595.80 feet and a chord which bears, N  $09^{\circ} 35' 40''$  E, a distance of 256.78 feet to an iron rod found for a point of tangency,
2. N  $02^{\circ} 50' 59''$  W, a distance of 352.40 feet to an iron rod found for a point of curvature, and
3. with a curve to the left, an arc distance of 92.51 feet, through a central angle of  $16^{\circ} 55' 21''$ , with a radius of 313.20 feet and a chord which bears, N  $11^{\circ} 18' 39''$  W, a distance of 92.17 feet to an iron rod found for a point of reverse curvature;

THENCE, leaving the east line of said Kazaleh Drive, continuing with the easterly line of said Great Hills XX, being the southerly right-of-way line of Simmons Road (60.00 feet wide), the following two (2) courses and distances:

1. with a curve to the right, an arc distance of 23.56 feet, through a central angle of  $90^{\circ} 00' 00''$ , with a radius of 15.00 feet and a chord which bears, N  $25^{\circ} 13' 40''$  E, a distance of 21.21 feet to an iron rod found for a point of compound curvature, and
2. with a curve to the right, an arc distance of 273.32 feet, through a central angle of  $87^{\circ} 00' 00''$ , with a radius of 180.00 feet and a chord which bears, S  $66^{\circ} 16' 20''$  E, a distance of 247.81 feet to an iron rod found for a point of tangency and also being the northwest corner of the Cherry Hill Park PUD, a subdivision of record in Book 85, Pages 131B-131C, Travis County Plat Records;

THENCE leaving the easterly line of said Great Hills XX, continuing with the southerly line of said Simmons Road and the westerly line of said Cherry Hill Park PUD, the following nine (9) courses and distances:

1. S  $22^{\circ} 39' 40''$  E, a distance of 374.49 feet to an iron rod found for a point of curvature,
2. with a curve to the right, an arc distance of 135.37 feet, through a central angle of  $28^{\circ} 43' 33''$ , with a radius of 270.00 feet and a chord which bears, S  $08^{\circ} 23' 14''$  E, a distance of 133.95 feet to an iron rod found for a point of tangency,

3. S 05° 58' 32" W, a distance of 132.63 feet to an iron rod found for a point of curvature,
4. with a curve to the left, an arc distance of 371.20 feet, through a central angle of 64° 27' 00", with a radius of 330.00 feet and a chord which bears, S 26° 14' 58" E, a distance of 351.94 feet to an iron rod found for a point of tangency,
5. S 58° 28' 28" E, a distance of 274.05 feet to an iron rod found for a point of curvature,
6. with a curve to the right, an arc distance of 276.35 feet, through a central angle of 58° 38' 35", with a radius of 270.00 feet and a chord which bears, S 29° 09' 10" E, a distance of 264.44 feet to an iron rod found for a point of tangency,
7. S 00° 10' 07" W, a distance of 206.95 feet to an iron rod found for a point of curvature,
8. with a curve to the right, an arc distance of 22.54 feet, through a central angle of 64° 38' 00", with a radius of 19.98 feet and a chord which bears, S 32° 29' 07" W, a distance of 21.36 feet to an iron rod found for a point of reverse curvature, and
9. with a curve to the left, an arc distance of 130.65 feet, through a central angle of 149° 42' 31", with a radius of 50.00 feet and a chord which bears, S 10° 03' 08" E, a distance of 96.53 feet to an iron rod found for point on curve, lying on a southerly line of said 956.78 acre tract and on a northerly line of The Meadows of Great Hills, a subdivision of record in Book 85, Pages 197B-197C;

THENCE leaving the southerly line of said Simmon Road and the westerly line of said Cherry Hill Park PUD, with the southerly line of said 956.78 acre tract and a northerly line of said The Meadows of Great Hills, the following four (4) courses and distances:

1. N 84° 54' 17" W, a distance of 5.72 feet to an iron rod found for an angle point,
2. N 76° 49' 00" W, a distance of 133.15 feet to an concrete monument found for an angle point,
3. S 00° 54' 00" E, a distance of 146.01 feet to an iron rod found for an angle point, and
4. S 60° 34' 01" W, a distance of 78.49 feet to an iron rod found for an angle point, on the northerly line of Great Hills XIV-A, a subdivision of record in Book 85, Pages 108C-108D and further being an angle point on the northerly line of Lot 16, said Great Hills XIV-A;

THENCE leaving the southerly line of said 956.78 acre tract and the northerly line of said The Meadows of Great Hills, with the northerly line of said Great Hills XIV-A, the following three (3) courses and distances:

1. N 66° 54' 48" W, a distance of 63.98 feet to an iron rod found for an angle point,

Great Hills  
18.88 Acre Tract

FN 2439 (JAA)  
October 14, 1985  
EH&A Job No. 4047-53

2. N 24° 35' 24" W, a distance of 158.78 feet to concrete monument found for an angle point, and
3. S 78° 28' 06" W, a distance of 384.54 feet to an iron rod found for an angle point, same being an angle point in Lot 13, of said Great Hills XIV-A, also being an angle point on the easterly line of said Great Hills XV, and further being the northeast corner of Lot 47 and the southeast corner of Lot 46, said Great Hills XV;

THENCE, leaving the northerly line of said Great Hills XIV-A, with the easterly and northerly lines of said Great Hills XV, the following eight (8) courses and distances:

1. N 38° 55' 07" W, a distance of 232.22 feet to an iron rod found for an angle point,
2. S 34° 53' 31" E, a distance of 135.75 feet to a concrete monument found for an angle point,
3. N 15° 10' 15" E, a distance of 319.65 feet to an iron rod found for an angle point,
4. N 42° 33' 30" W, a distance of 320.82 feet to an iron rod found for an angle point,
5. N 46° 27' 57" E, a distance of 77.37 feet to an iron rod found for an angle point,
6. N 86° 19' 37" E, a distance of 143.67 feet to an iron rod found for an angle point,
7. N 22° 55' 29" W, a distance of 173.93 feet to an iron rod found for an angle point, and
8. N 87° 24' 26" W, a distance of 143.15 feet to the POINT OF BEGINNING and containing 18.88 acres of land, more or less.

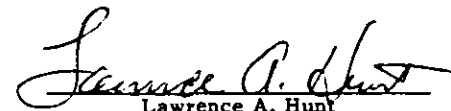
THE STATE OF TEXAS    I  
                                  I  
COUNTY OF TRAVIS    I

KNOW ALL MEN BY THESE PRESENTS:

That I, Lawrence A. Hunt, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 14<sup>TH</sup> day of OCTOBER, 1985, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.  
Engineering & Environmental Consultants  
P.O. Box 519  
Austin, Texas 78767

  
Lawrence A. Hunt  
Registered Public Surveyor  
No. 4328 - State of Texas



RESTRICTIVE COVENANT

THE STATE OF TEXAS     §

COUNTY OF TRAVIS       §

WHEREAS, the Great Hills Ltd., a Texas Limited Partnership of Travis County, Texas, with its principal place of business in Travis County, ("Owner"), is the owner of the property described on Exhibit "A" attached hereto ("Property"):

WHEREAS, the City of Austin and the Owner have agreed that the above described Property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, the Owner for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, receipt of which is hereby acknowledged, does hereby agree with respect to the Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on them, their successors and assigns, as follows, to-wit:

1. The number of residential units located on the Property shall not exceed an average of 6 units per acre.

2. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

3. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

4. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

5. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above described property at the time of such modification, amendment or termination.

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

GREAT HILLS LIMITED

\_\_\_\_\_  
John S. Lloyd, General Partner



THE STATE OF TEXAS     §

COUNTY OF TRAVIS       §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John S. Lloyd, as general partner of Great Hills Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited partnership for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_  
Notary Public in and for  
the State of Texas

\_\_\_\_\_  
(Name - Typed or Printed)

My Commission Expires: \_\_\_\_\_

A:6-1085.14

Great Hills  
20.97 Acre Tract

PHASE 3 PUD  
6 units / AC

SE-6

FN 2435 (JAA)  
March 21, 1985  
EH&A Job No. 4047-58

FIELD NOTE DESCRIPTION OF A 20.97 ACRE TRACT OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 956.78 ACRE TRACT OF LAND CALLED TRACT ONE, CONVEYED TO GREAT HILLS, LTD. BY DEED RECORDED IN VOLUME 8238, PAGE 174, TRAVIS COUNTY DEED RECORDS, SAID 20.97 ACRES, AS SHOWN ON ESPEY, HUSTON & ASSOCIATES SURVEY PLAT NO. 629, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found for the southwest corner of Lot 80, Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B, Travis County Plat Records, same being an angle point in the west line of Lot 28, Great Hills XV, a subdivision of record in Book 84, Pages 152D, 153A-153B, Travis County Plat Records;

THENCE, S 07° 19' 53" W, with the west line of the said Great Hills XV, a distance of 222.31 feet to the POINT OF BEGINNING, same being an iron rod set for the northeast corner hereof;

THENCE continuing with the west line of the said Great Hills XV, the following two (2) courses and distances:

1. S 07° 19' 53" W, a distance of 432.88 feet to a concrete monument found for an angle point, and
2. S 05° 44' 31" W, a distance of 402.40 feet to an iron rod found for an angle point, same being an angle point in the west line of Lot 17, said Great Hills XV and also being the northeast corner of a 6.64 acre tract of land conveyed to Charles Callery by deed recorded in Volume 9029, Page 354, Travis County Deed Records;

THENCE, with the north and west lines of the said 6.64 acre tract, the following six (6) courses and distances:

1. S 85° 56' 07" W, a distance of 131.29 feet to an iron rod found for an angle point,
2. N 61° 47' 56" W, a distance of 79.41 feet to an iron rod found for an angle point,
3. N 82° 04' 56" W, a distance of 107.04 feet to an iron rod found for an angle point,
4. S 83° 17' 51" W, a distance of 139.00 feet to an iron rod found for an angle point,
5. S 16° 59' 01" W, a distance of 508.18 feet to an iron rod found for an angle point, and
6. S 02° 40' 40" W, a distance of 142.41 feet to an iron rod found, being the southwest corner of the said 6.64 acre tract;

THENCE, leaving the north and west lines of the said 6.64 acre tract and over and across the said 956.78 acre tract, the following eight (8) courses and distances:

1. S 02° 40' 40" W, a distance of 201.02 feet to an iron rod set for an angle point,
2. N 19° 58' 09" W, a distance of 1090.79 feet to an iron rod set for an angle point,

3. a distance of 141.16 feet along said arc with a central angle of  $29^{\circ} 17' 57''$  W, a radius of 276.04 feet, and whose chord bears  $N 05^{\circ} 07' 21''$  W, a distance of 139.62 feet to an iron rod found for the point of tangency of said curve,
4.  $N 09^{\circ} 31' 38''$  E, a distance of 325.55 feet to an iron rod found for the point of curvature of a curve to the left,
5. a distance of 191.54 feet along said arc with a central angle of  $29^{\circ} 50' 01''$ , a radius of 367.85 feet and whose chord bears  $N 05^{\circ} 23' 23''$  W, a distance of 189.38 feet to an iron rod found for the point of tangency of said curve,
6.  $N 20^{\circ} 18' 23''$  W, a distance of 107.96 feet to an iron rod found for the point of curvature of a curve to the right,
7. a distance of 212.73 feet along said arc with a central angle of  $36^{\circ} 28' 55''$ , a radius of 334.11 feet and whose chord bears  $N 02^{\circ} 03' 56''$  W, a distance of 209.16 feet to an iron rod found for the point of tangency of said curve,
8.  $N 16^{\circ} 10' 32''$  E, a distance of 101.54 feet to an iron rod found for the point of curvature of a curve to the right, and
9. a distance of 22.60 feet along said arc with a central angle of  $86^{\circ} 19' 55''$ , a radius of 15.00 feet and whose chord bears  $N 59^{\circ} 20' 30''$  E, a distance of 20.52 feet to an iron rod found for the point of reverse curvature to the left, lying in the southwesterly right-of-way line of Lost Horizon Drive (R.O.W. varies) and also being in the southwesterly line of said Great Hills Street Dedication "C";

THENCE, leaving the easterly line of the said Kazaleh Drive and the easterly line of the said Great Hills XX, with the southwesterly lines of said Lost Horizon Drive and said Great Hills Street Dedication "C", the following six (6) courses and distances:

1. a distance of 107.95 feet along an arc to the left with a central angle of  $17^{\circ} 06' 35''$  and a radius 361.50 feet and whose chord bears  $S 86^{\circ} 00' 52''$  E, a distance of 107.55 feet to an iron rod found for the point of tangency,
2.  $N 85^{\circ} 25' 00''$  E, a distance of 50.00 feet to an iron rod found for the point of curvature of a curve to the right,
3. a distance of 190.34 feet along said arc with a central angle of  $37^{\circ} 10' 00''$  and a radius of 293.43 feet and whose chord bears  $S 76^{\circ} 00' 01''$  E, a distance of 187.02 feet to an iron rod found the point of tangency of said curve,
4.  $S 57^{\circ} 25' 01''$  E, a distance of 362.53 feet to an iron rod found for an angle point,
5.  $S 32^{\circ} 34' 59''$  W, a distance of 18.00 feet to an iron rod found for the point of curvature of a curve to the left, and
6. a distance of 100.00 feet along said arc with a central angle of  $15^{\circ} 27' 35''$  and a radius of 370.63 feet and whose chord bears  $S 65^{\circ} 08' 48''$  E, a distance of 99.70 feet to an iron rod found for

Great Hills  
36.15 Acre Tract

FN 2441 (JAA)  
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the northwest corner of Lot 2, said Great Hills Street  
Dedication "C";

THENCE, leaving the said southwesterly line of Lost Horizon Drive with the west  
and south lines of the said Lot 2, Great Hills Street Dedication "C", the following  
three (3) courses and distances;

1. S 02° 01' 38" W, a distance of 110.00 feet an iron rod found for  
an angle point,
2. S 89° 21' 48" E, a distance of 377.93 feet to an iron rod found  
for an angle point, and
3. S 47° 45' 47" E, a distance of 485.76 feet to an iron rod found in  
the westerly line of Rain Creek Parkway;

THENCE, leaving the said south line of Lot 2, Great Hills Street Dedication "C"  
with the said westerly line of Rain Creek Parkway, a distance of 440.15 feet along  
an arc to the left with a central angle of 72° 10' 59" and a radius of 349.37 feet and  
whose chord bears S 06° 08' 30" E, a distance of 411.62 feet to an iron rod found at  
an angle point, same being an angle point in the north line of Lot 1, said Great Hills  
Street Dedication "C";

THENCE, leaving the westerly line of the said Rain Creek Parkway, with the north  
line of Lot 1, said Great Hills Street Dedication "C", S 86° 34' 13" W, a distance of  
200.00 feet to the POINT OF BEGINNING and containing within these metes and  
bounds 36.15 acres of land, more or less.


THE STATE OF TEXAS |  
COUNTY OF TRAVIS |

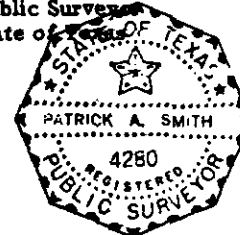
KNOW ALL MEN BY THESE PRESENTS:

That I, Patrick A. Smith, a Registered Public Surveyor, do hereby certify  
that the above description is true and correct to the best of my knowledge and that  
the property described herein was determined by a survey made on the ground under  
my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the  
25<sup>TH</sup> day of SEPTEMBER, 1985, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.  
Engineering & Environmental Consultants  
P.O. Box 519  
Austin, Texas 78767

  
Patrick A. Smith  
Registered Public Surveyor  
No. 4280 - State of Texas



RESTRICTIVE COVENANT

THE STATE OF TEXAS     §

COUNTY OF TRAVIS       §

WHEREAS, the Great Hills Ltd., a Texas Limited Partnership of Travis County, Texas, with its principal place of business in Travis County, ("Owner"), is the owner of the property described on Exhibit "A" attached hereto ("Property"):

WHEREAS, the City of Austin and the Owner have agreed that the above described Property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, the Owner for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, receipt of which is hereby acknowledged, does hereby agree with respect to the Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on them, their successors and assigns, as follows, to-wit:

1. The number of residential units located on the Property shall not exceed an average of 6 units per acre.

2. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

3. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

4. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

5. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above described property at the time of such modification, amendment or termination.

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

GREAT HILLS LIMITED

\_\_\_\_\_  
John S. Lloyd, General Partner

THE STATE OF TEXAS     §

COUNTY OF TRAVIS       §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John S. Lloyd, as general partner of Great Hills Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited partnership for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 1985.

\_\_\_\_\_  
Notary Public in and for  
the State of Texas

\_\_\_\_\_  
(Name - Typed or Printed)

My Commission Expires: \_\_\_\_\_

A:6-1085.14

Great Hills  
36.15 Acre Tract

PUD 3 - PHASE ONE  
6 UNIT/AC  
SFL  
FN 2441 (JAA)  
March 21, 1985  
EH&A Job No. 4047-58

A DESCRIPTION OF A 36.15 ACRE TRACT OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, TRAVIS COUNTY, TEXAS; THE SAID 36.15 ACRE TRACT BEING ALL OF LOT 97, GREAT HILLS XX, A SUBDIVISION OF RECORD IN BOOK 84, PAGES 136A-136B, TRAVIS COUNTY PLAT RECORDS AND A PORTION OF A 956.78 ACRE TRACT, CALLED TRACT ONE, CONVEYED TO GREAT HILLS, LTD. BY DEED RECORDED IN VOLUME 8238, PAGE 174, TRAVIS COUNTY DEED RECORDS, SAID ACRES, AS SHOWN ON ESPEY, HUSTON & ASSOCIATES SURVEY PLAT NO. 629, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found for the northwest corner of Lot 1, Great Hills Street Dedication "C", a subdivision of record in Book 77, Pages 268-270, Travis County Plat Records;

THENCE, with the west line of said Lot 1 and over and across the said 956.78 acre tract, S  $03^{\circ} 25' 47''$  E, a distance of 430.00 feet to an iron rod set for an angle point, same being an angle point in the northerly line of the proposed Cherry Hill Park PUD;

THENCE, leaving the west line of said Lot 1, with the northerly line of the proposed Cherry Hill Park PUD and continuing over and across the said 956.78 acre tract, the following three (3) courses and distances:

1. N  $71^{\circ} 29' 40''$  W, a distance of 469.04 feet to an iron rod set for an angle point,
2. N  $88^{\circ} 05' 45''$  W, a distance of 215.93 feet to an iron rod set for an angle point, and
3. S  $65^{\circ} 08' 31''$  W, a distance of 184.58 feet to an iron rod set for an angle point and lying in the easterly right-of-way line of the proposed Simmons Road Extension (60.00 feet wide);

THENCE, continuing with the northerly line of the said Cherry Hill Park PUD and with the easterly line of the said proposed Simmons Road Extension, N  $22^{\circ} 27' 51''$  W, a distance of 116.57 feet to an iron rod found for point of curvature of a curve to the left, same being an angle point of the easterly line of Great Hills XX, a subdivision of record in Book 84, Pages 136A-136B;

THENCE, leaving the northerly line of the said Cherry Hill Park PUD and the easterly line of the said proposed Simmons Road Extension, with the easterly line of the said Great Hills XX, same being the easterly line of Simmons Road (60.00 foot wide), a distance of 364.43 feet along said arc to the left with a central angle of  $87^{\circ} 00' 00''$ , a radius of 240.00 feet and, whose chord bears N  $66^{\circ} 16' 20''$  W, a distance of 330.41 feet to an iron rod found for the point of reverse curvature of a curve to the right and lying in the easterly right-of-way line of Kazaleh Drive (60.00 feet wide);

THENCE, leaving the easterly line of said Simmons Road, continuing with the easterly line of the said Great Hills XX, and the easterly line of the said Kazaleh Drive, the following nine (9) courses and distances:

1. a distance of 23.56 feet along said arc with a central angle of  $90^{\circ} 00' 00''$ , a radius of 15.00 feet and whose chord bears N  $64^{\circ} 46' 20''$  W, a distance of 21.21 feet to an iron rod found for the point of tangency of said curve,
2. N  $19^{\circ} 46' 20''$  W, a distance of 209.37 feet to a concrete monument found for the point of curvature of a curve to the right,

Great Hills  
20.97 Acre Tract

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3. N 24° 54' 32" W, a distance of 127.55 feet to an iron rod set for an angle point,
4. N 58° 00' 45" W, a distance of 165.92 feet to an iron rod set for the point of curvature of a curve to the right,
5. a distance of 324.19 feet along an arc to the right with a central angle of 55° 25' 31", a radius of 335.13 feet and whose chord bears N 59° 42' 00" E, a distance of 311.70 feet to an iron rod set for the point of tangency of said curve,
6. N 87° 24' 46" E, a distance of 200.77 feet to an iron rod set for the point of curvature of a curve to the left,
7. a distance of 416.87 feet along said arc to the left with a central angle of 77° 49' 09", a radius of 306.93 feet and whose chord bears N 48° 30' 12" E, a distance of 385.56 feet to an iron rod set at an angle point, and
8. S 87° 56' 04" E, a distance of 513.83 feet to the POINT OF BEGINNING and containing within these metes and bounds 20.97 acres of land, more or less.

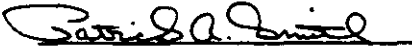
THE STATE OF TEXAS |  
COUNTY OF TRAVIS |

KNOW ALL MEN BY THESE PRESENTS:

That I, Patrick A. Smith, a Registered Public Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 25<sup>TH</sup> day of SEPTEMBER, 1985, A.D.

ESPEY, HUSTON & ASSOCIATES, INC.  
Engineering & Environmental Consultants  
P.O. Box 519  
Austin, Texas 78767

  
Patrick A. Smith  
Registered Public Surveyor  
No. 4280 - State of Texas

